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Date of Deposit: April 28, 2004

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Emin Tuncay Ustuner

Appln. No.: 09/814,422

Filed: March 21, 2001

For: AUTOMATIC SURGICAL SUTURING
INSTRUMENT AND METHOD

Attorney Docket No: 10593-4

Examiner: B. Pantuck

Art Unit: 3731

Mail Stop RCE
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 C.F.R. § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 C.F.R. §1.114.

☐ Submission under 37 CFR 1.114 (check at least one of the following):

☐ Previously submitted:

☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.

☐ Please enter and consider the Amendment After Final Under 37 C.F.R. §1.116 previously filed on _____

☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

04/30/2004 WASFAW1 00000054 09814422

☐ Other: _____

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385.00 OP

☒ Attached is/are:

☐ An Information Disclosure Statement

☒ An Amendment to the written description, claims, or drawings

☐ New Arguments and/or New Evidence in support of Patentability

☒ Other: return post card



Request for suspension of action:

Applicant(s) hereby request suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 C.F.R. §1.17(i)).

☒ Small Entity Status:

- ☒ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
- ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.
- ☐ Is no longer desired.

☒ Applicant(s) calculate the following fees to be due in connection with this Request:

- ☒ A Request fee of \$385.00 under 37 C.F.R. §1.17(e).
- ☐ A suspension processing fee of \$_____ under 37 C.F.R. §1.17(i).
- ☐ An additional filing fee of \$_____ under 37 C.F.R. §1.16 (_____ additional independent claims and/or _____ additional total claims).
- ☐ An extension fee of \$_____ under 37 C.F.R. §1.17(a) for a _____-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

- ☒ A check in the amount of \$385.00 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A copy of this Request is enclosed for this purpose.
- ☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE). A copy of this Request is enclosed for this purpose.

Respectfully submitted,

Date

April 28, 2004Craig A. Summerfield
Craig A. Summerfield (Reg. No. 37,947)

Attachment(s): RCE Third Response and Amendment

Return Post Card



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PATENT
CASE NO. 10593-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)	
)	
Emin Tuncay Ustuner)	
)	
Serial No.: 09/814,422)	
)	Examiner: B. Pantuck
Filed: March 21, 2001)	
)	Group Art Unit: 3731
For: AUTOMATIC SURGICAL)	
SUTURING INSTRUMENT)	
AND METHOD)	

RCE THIRD RESPONSE AND AMEDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action dated April 05, 2004, please enter the following amendments and consider the following remarks:

CLAIM AMENDMENTS

1-47. (cancelled)

48. (previously presented) A method for applying and tying a surgical suture, said method comprising:

- (a) providing a suturing device comprising a handle at one end and at least one needle and at least one suture at the other end;
- (b) in response to at least one triggering event at the handle, performing the following acts automatically at the other end of the suturing device by the suturing device: